

REMARKS

The office action of July 15, 2009, has been carefully considered.

It is noted that claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) over the patent to Tada et al.

Claims 1-6 are rejected under 35 U.S.C. 103(a) over Tada et al.

Claims 1-6 are rejected under 35 U.S.C. 103(a) over the patent to Paramonov.

In view of the Examiner's rejections of the claims, applicant has amended claim 1.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods and constructions disclosed in the references.

Turning now to the references, it can be seen that the patent

to Tada et al. discloses a hot dip coating apparatus and method. Tada et al. do not disclose or suggest replenishing the coating metal in order to maintain a desired level of coating metal in the tank. In the reference the level of coating metal is maintained by overflow of the metal over the top of the dam 9 from where it is returned to the tank 13. There is no teaching or disclosure that the volume of melt supplied by the passage is used to maintain the level in the coating tank since it is necessary to have overflow of melt in the reference. The dam 9 is what determines the level of the melt. Applicant has amended claim 1 in an effort to further distinguish the claimed invention from the reference. Claim 1 now recites that the level of the coating metal is determined only by the volume flow. This is not disclosed by Tada et al. Thus, Tada et al. do not disclose or teach the presently claimed invention, or render it obvious.

In view of these considerations it is respectfully submitted that the rejection of claims 1-4 and 6 under 35 U.S.C. 102(b) and the rejection of claims 1-6 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

The patent to Paramonov et al. discloses a process for coating the surface of elongated materials. Paramonov et al. teach

adjusting the level of coating material in the melt bath by raising and lowering an immersion body 31 in an inner vessel 25 of the coating tank. There is no teaching that the volume of melt supplied by the passage is used to maintain the level in the coating tank. In the presently claimed invention, the level of the coating metal is determined only by the volume flow. This is not taught by Paramonov et al. Thus, Paramonov et al. do not teach the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-6 under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

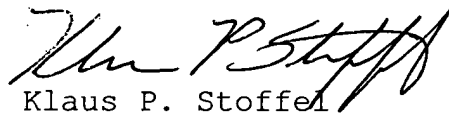
Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

HM-666

Respectfully submitted,

By



Klaus P. Stoffel

Reg. No. 31,668

For: Friedrich Kueffner

Reg. No. 29,482

317 Madison Avenue, Suite 910

New York, New York 10017

(212) 986-3114

Dated: January 15, 2010

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on January 15, 2010.

By:


Klaus P. Stoffel

Date: January 15, 2010